

FIRST REGULAR SESSION

HOUSE BILL NO. 618

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES FRAKER (Sponsor) AND REDMON (Co-sponsor).

1541H.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 253.090, RSMo, and to enact in lieu thereof two new sections relating to the state parks.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 253.090, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 253.090 and 640.950, to read as follows:

253.090. 1. All revenue derived from privileges, conveniences, contracts or otherwise, all moneys received by gifts, bequests or contributions or from county or municipal sources and all moneys received from the operation of concessions, projects or facilities and from resale items shall be paid into the state treasury to the credit of the "State Park Earnings Fund", which is hereby created. **The state treasurer is authorized to deposit all of the moneys in the fund in any of the qualified depositories of the state. All such deposits shall be secured in such a manner and shall be made upon such terms and conditions as are now or may hereafter be provided by law relative to state deposits. Interest received on such deposits shall be credited to the fund.** In the event any state park or any part thereof is taken under the power of eminent domain by the federal government the moneys paid for the taking shall be deposited in the state park earnings fund. The fund shall be used solely for the payment of the expenditures of the department of natural resources in the administration of this law, except that in any fiscal year the department may expend a sum not to exceed fifty percent of the preceding fiscal year's deposits to the state park earnings fund for the purpose of:

- (1) Paying the principal and interest of revenue bonds issued;
- (2) Providing an interest and sinking fund;
- (3) Providing a reasonable reserve fund;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (4) Providing a reasonable fund for depreciation; and

19 (5) Paying for feasibility reports necessary for the issuing of revenue bonds.

20 2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys
21 remaining in the fund at the end of the biennium shall not revert to the credit of the general
22 revenue fund.

23 3. A good and sufficient bond conditioned upon the faithful performance of the contract
24 and compliance with this law shall be required of all contractors.

25 4. Any person who contracts pursuant to this section with the state shall keep true and
26 accurate records of his or her receipts and disbursements arising out of the performance of the
27 contract and shall permit the department of natural resources and the state auditor to audit such
28 records.

**640.950. 1. This section shall be known and may be cited as "The Renewable
2 Energy Pilot Program for State Parks".**

3 **2. The department of natural resources shall, in consultation with the public service
4 commission, develop and implement a pilot program in which renewable energy technology
5 is used to operate a state park.**

6 **3. The commission shall retain authority to regulate the rates and cost recovery for
7 electric utilities under its jurisdiction that enter into a contractual agreement to provide
8 renewable energy resources for the department. The department may also contract with
9 those electric utilities that are unregulated by the commission.**

10 **4. The pilot program shall begin with the department's selection of a suitable state
11 park by August 28, 2014. The department shall set a goal of achieving the one hundred
12 percent use of renewable energy resources, as defined in section 393.1025, within the
13 boundaries of the park.**

14 **5. The pilot program shall involve the department's use of as many energy-efficient
15 products as possible within the boundaries of the park.**

16 **6. The department shall set a goal of completing such renewable energy pilot
17 program by August 28, 2019.**

18 **7. Beginning August 28, 2013, the department shall annually report to the general
19 assembly as to whether the goal of this section has been met. If the goal provided in this
20 section is not achieved, then such report shall explain why such goal is not feasible at the
21 current time and develop alternative suggestions. If the goal in subsection 6 of this section
22 is not met, then such report shall continue indefinitely on an annual basis.**

23 **8. The department shall promulgate rules to implement the provisions of this
24 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is
25 created under the authority delegated in this section shall become effective only if it**

26 complies with and is subject to all of the provisions of chapter 536 and, if applicable,
27 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
28 vested with the general assembly under chapter 536 to review, to delay the effective date,
29 or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
30 of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be
31 invalid and void.

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